



తెలంగాణ రాజ పత్రము
RULES SUPPLEMENT TO PART - I
EXTRAORDINARY
OF
THE TELANGANA GAZETTE
PUBLISHED BY AUTHORITY

No. 143-F]

HYDERABAD, WEDNESDAY, JUNE 1, 2016.

NOTIFICATIONS BY GOVERNMENT

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REVENUE DEPARTMENT

(*Excise - II*)

THE TELANGANA NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, RULES - EMPOWERING THE OFFICERS OF THE STATE PROHIBITION & EXCISE DEPARTMENT AND POLICE DEPARTMENTS TO EXERCISE THE POWERS UNDER SECTION 41(2) OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985.

[G.O. Ms. No.148, Revenue (*Excise-II*), 1st June, 2016.]

In exercise of powers conferred by sub-section (2) of Section 41 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) the Governor of Telangana hereby empowers the officers of the State Prohibition & Excise Department including Enforcement Wing, not below the rank of Sub-Inspector and all the Officers of Police Department not below the rank of Sub-Inspector to exercise the powers under the said sub-section.

THE TELANGANA NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, RULES - EMPOWERING THE OFFICERS OF THE STATE PROHIBITION & EXCISE DEPARTMENT AND POLICE DEPARTMENTS TO EXERCISE THE POWERS UNDER SECTION 42 (1) OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985.

[G.O. Ms. No.149, Revenue (*Excise-II*), 1st June, 2016.]

In exercise of powers conferred by sub-section (1) of Section 42 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) the Governor of Telangana hereby empowers the officers of the State Prohibition & Excise Department including Enforcement Wing, not below the rank of Sub-Inspector and all the Officers of Police Department not below the rank of Sub-Inspector to exercise the powers under the said sub-section.

THE TELANGANA NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, RULES - EMPOWERING THE OFFICERS OF THE STATE PROHIBITION & EXCISE DEPARTMENT AND POLICE DEPARTMENTS TO EXERCISE THE POWERS UNDER SECTION 53(2) OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985.

[G.O. Ms. No.150, Revenue (Excise-II), 1st June, 2016.]

In exercise of powers conferred by sub-section (2) of Section 53 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) the Governor of Telangana hereby empowers the officers of the State Prohibition & Excise Department including Enforcement Wing, not below the rank of Sub-Inspector and all the Officers of Police Department not below the rank of Sub-Inspector to exercise the powers under the said sub-section.

THE ANDHRA PRADESH EXCISE (REGULATION OF DRAWAL & SALES NEERA) RULES, 1969 - ADAPTATION TO THE STATE OF TELANGANA.

[G.O. Ms. No.151, Revenue (Excise-II), 1st June, 2016.]

In exercise of powers conferred by section 101 of the Andhra Pradesh Re-organization Act, 2014 (Central Act No. 6 of 2014), the Government of Telangana hereby makes the following order, namely:-

1. (1) This order may be called “the Andhra Pradesh Excise (Regulation of Drawal & Sales of Neera) Rules, 1969 (Telangana Adaptation) Order, 2016.
 (2) It shall be deemed to have come into force with effect from the 2nd June 2014;
2. Throughout the rules, for the words “Andhra Pradesh” or “A.P.”, occurring otherwise than in a citation or description or in title of other enactments, the word “Telangana” shall be substituted;
3. Throughout the rules for the word and impression “Andhra Pradesh Excise Act, 1968”, the words and impression “Telangana Excise Act, 1968” shall be substituted;
4. Throughout the rules and the Forms annexed to the Rules, for the words “Circle Inspector of Excise” or “Inspector of Excise”, the words “Prohibition & Excise Inspector” shall be substituted;
5. Throughout the rules and the forms annexed to the Rules, for the words “Excise Superintendents”, the words “Prohibition & Excise Superintendents” shall be substituted;
6. In the said rules,-
 - (1) In rule 4, sub-rule (2), for the words and expression “Court fee stamp of 2/- (two)”, the words and expression “Court fee stamp of Rs. 5/- (Rupees five only)” shall be substituted;
 - (2) In rule 6, sub-rule (2), for the words and expression “Court fee stamp of 2/- (two)”, the words and expression Court fee stamp of Rs. 5/- (Rupees five only) shall be substituted;
 - (3) In rule 6, sub-rule (2), for the Form No. 1 there-under, for the words “Andhra Pradesh Khadi & Village Industries Board”, the words “Telangana State Khadi & Village Industries Board” shall be substituted.
 - (4) In rule (7), sub rule (1), for the words “Rupees Ten”, the words “Rupees fifty only” shall be substituted.
 - (5) In rule (8), for sub-rule (1), the following shall be substituted, namely,-
 - “(1) No person shall tap an excise tree on behalf of a licensee except under the authority granted or by the Prohibition and Excise Inspector on payment of a Fee of Rs. 100/- . An application for such grant shall be made after affixing a court fee label of Rs. 10/- and enclosing a treasury challan of Rs. 100/-”.

THE ANDHRA PRADESH EXCISE (COMPOUNDING OF OFFENCES) RULES, 1973 - ADAPTATION TO THE STATE OF TELANGANA.

[G.O. Ms. No.152, Revenue (Excise-II), 1st June, 2016.]

In exercise of powers conferred by section 101 of the Andhra Pradesh Re-organization Act, 2014 (Central Act No. 6 of 2014), the Government of Telangana hereby makes the following order namely:-

1. (1) This order may be called "the Andhra Pradesh Excise (Compounding of Offences) Rules, 1973 (Telangana Adaptation) Orders, 2016".
 - (2) It shall be deemed to have come into force with effect from the 02-06-2014.
2. Throughout the Andhra Pradesh Excise (Compounding of Offences) Rules, 1973 rules, for the words "Andhra Pradesh" or "A.P." occurring otherwise than in a citation or description or in title of other enactments, the word "Telangana" shall be substituted;
3. In the said rules,-
 - (1) In rule 2 of sub-rule (d), the following sub-rule shall be substituted, namely ,-

"(d) Compoundable offence means an offence mentioned in Section 47 (1) of the Act".
 - (2) In rule 3,
 - (i) In sub-rule (i), for the words and expression "Deputy Commissioners of Excise" and "Rs.5000/-", the words and expression "Deputy Commissioners of Prohibition & Excise" and "Rs. 25000/-" respectively, shall be substituted respectively;
 - (ii) Sub-rule (ii) of the rule-3 shall be omitted.
 - (iii) In sub-rule (iii) and the proviso there under, for the words and expression, "Excise Superintendents" and "Rs. 3000/-", the words and expression, "Prohibition & Excise Superintendents" & "Rs. 10,000/-" respectively, shall be substituted;
 - (3) In rule-4, for the Schedule there under, the following Schedule shall be substituted, namely,-

SCHEDULE

(SEE RULE 4)

Sl. No.	Provision in the Act under which the offence falls	Nature of Offence	Minimum Compounding fee
(1)	(2)	(3)	(4)
1.	31 (1) (a)	Non-payment of duty/fee for which the licence or permit is liable for cancellation or suspension.	15% of the duty fee payable in addition to the amount of the duty fee payable.
2.	31 (1) (b)	Breach of any of the terms and conditions of a licence or permit for which the licence or permit is liable for cancellation or suspension, not falling in any of the offences enumerated in this column.	Rs.5,000/- in each case
3.	34(b)	(A) Illicit tapping of any Excise tree in Allotted Topes, (1) (a) Stalks out of rough faces made before crediting the tree tax and the tree owner's rent in respect of Sendhi or Date Palm trees (b) Golas prepared, before payment of tree tax and tree owner's rent in respect of Sago, Palm, Palmyrah or Coconut trees	Rs.100/- per tree Rs.100/- per tree

(1)	(2)	(3)	(4)
		(2) Smooth faces made before payment of tree tax and tree owner's rent in respect of Sendhi or Date or Date palm Trees. (3) Attachment of pots before payment of tree tax, tree owner's rent in respect of Sendhi or Date, Coconut, palmyrah, Date Palm or Sago trees	Rs.100/- per tree Rs.100/- per tree
		(4) Sendhi or date, Coconut, Palmyrah, date palm or sago trees tapped and abandoned without crediting tree tax and tree owners rent.	Rs.100/- per tree
		(5) Sendhi or Date, Coconut, Palmyrah, date Palm and sago trees smooth faces made or tapped before making but after crediting tree tax and tree owner's rent.	Rs.100/- per tree
		(B) Illicit Tapping of trees in the Block in Excess of allotment, but within the ration sanctioned, which could be sanctioned subsequently	
		(1) (a) Stalks cut or rough faces made before crediting the tree tax and the tree owner's rent in respect of Sendhi or date and Date Palm trees (b) Golas prepared, before crediting tree tax and tree owners rent in respect of Coconut, Palmyrah and Sago trees.	Rs.100/- per tree Rs.100/- per tree
		(2) Smooth faces made before payment of tree tax and tree owner's rent in respect of Sendhi or date and date palm trees.	Rs.100/- per tree
		(3) Pots attached before payment of tree tax, tree owners rent in respect of Sendhi or Date, Coconut, Palmyrah, Date Palm or Sago trees.	Rs.100/- per tree
		(4) Sendhi or date, Coconut, Palmyrah, date palm or sago trees tapped and abandoned without crediting the tree tax and tree owners rent.	Rs.200/- per tree
		All other cases of Illicit tapping not falling under (A) or (B) above - cases of over tapping of marked. (i) If the excess duration is one month or less (ii) If the excess duration is more than one month but less than two months	Rs.100/- per tree Rs.100/- per tree

(1)	(2)	(3)	(4)
		<p>(iii) If the excess duration is two months or above or if a 2nd incision is made at any time subsequent to the 1st incision (regardless of the period of tapping through the 2nd incision)</p> <p><u>Note:-</u> In cases pertaining to Tappers Co-operative Societies which have been given toddy contracts on lease for fixed amount, the Excise Superintendents may reduce 25% in the rates of compounding fee shown above.</p>	Rs.200/- per tree

4.	34 (c)	Illegal drawing of toddy from any Excise tree	Rs.200/- per tree and toddy to be sold to a licensee.
5.	34 (f)	Illegal bottling of any liquor for purposes of sale.	Duty leviable on the liquor seized together with a sum calculated at Rs.1000/- per bottle.
6.	34 (g)	Illegal selling or buying of any intoxicants: (1) In case of Toddy (2) In case of Mohwa flowers (Over and above the maximum possession limit) (3) In case of other intoxicant drugs	Rs.100/- per Litre Rs.1000/- per KG Rs.2500/- per 10 gms
7.	36 (d)	Permitting drunkenness, disorderly conduct, riot or gambling at the licensed premises	Rs.5000/-
8.	36 (e)	Permitting persons suffering from leprosy or persons believed to have been convicted of any non-bailable offence, or reputed prostitutes or habitual offenders resort to, or assemble or remain in or on the premises where any excisable article is sold or manufactured.	Rs.1000/-
9.	36 (f)	Selling any intoxicant to a person who is drunk	Rs.5000/-
10.	36 (g)	Selling or giving any intoxicants to any child apparently under eighteen years of age or permitting such child to remain in or on the premises when any excisable article is sold or manufactured.	Rs.5000/-

(1)	(2)	(3)	(4)
11.	36 (h)	Employing or permitting to be employed on any part of the licensed premises referred to in Section 36 (b) any child or person suffering from leprosy or other contagious disease in contravention of the provisions of Section 19 of the Act	Rs.10,000/-
12.	37 (b)	Selling or keeping or exposing for sale as foreign liquor which he knows or has reason to believe to be an Indian Liquor.	Rs.50,000/- + destructions of stock seized.
13.	37 (c)	Making any bottle or the cork of any bottle, case, package or other receptacle containing Indian Liquor, with mark thereon or on the cork thereof with the intention of causing it to believe that such bottle, case, package or other receptacle contains foreign liquor.	Rs.50,000/-
14.	37 (d)	Selling or keeping or exposing for sale of any Indian liquor or a bottle, case, package or other receptacle with any mark thereon or on the mark thereof with the intention of causing to be believed that such bottle, case, package or other receptacle contains foreign liquor.	Rs.50,000/-
15.	41	Contravention of any of the provisions of the Act, or any rule, notification or order made, issued or passed there under and not otherwise provided for in the Act.	Rs.5,000/-

AJAY MISRA,
Principal Secretary to Government.

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